



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Wai et al.
Serial No.: 10/526,275
Docket No.: 21162YP
Filed: March 1, 2005
For: DIHYDROXYPYRIDOPYRAZINE-1,6-DIONE
COMPOUNDS USEFUL AS HIV INTEGRASE
INHIBITORS

Art Unit: 1624

Examiner:
Murray, Jeffrey H.

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON THE STATEMENT OF REASONS FOR ALLOWANCE

Sir:

This communication accompanies the Issue Fee and is a comment on the Examiner's reasons for allowance set forth in the Notice of Allowability which accompanied the Notice of Allowance mailed August 21, 2008. The Examiner states in part that "U.S. Patent No. 6,613,759 teaches the compounds and compositions seen within the current application." Applicants strongly disagree. US 6613759 (Seto et al.) teaches a macrolide identified as Substance GM-95 composed of 7 oxazole rings and 1 thiazole ring. Seto et al. further discloses that GM-95 is useful for treating tumors. The structure and use of GM-95 is so far removed from the subject matter disclosed and claimed in the instant application (dihydroxypyridopyrazine-1,6-diones and their use as HIV integrase inhibitors) as to be totally irrelevant.

It is requested that the Examiner place in the record an amended "Reasons for Allowance" omitting all mention of Seto et al.

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Respectfully submitted,

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Date: November 7, 2008